IN THE DISTRICT COURT OF THE UNITED STATES FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION

CIVIL CASE NO. 3:07cv176

MARK JAMES TINGLEY and)
LEA MICHELLE TINGLEY, on)
behalf of themselves and)
others similarly situated,)
)
Plaintiffs,)
)
vs.)
)
BEAZER HOMES CORP. and)
BEAZER MORTGAGE)
CORPORATION,)
)
Defendants.)
)

JUDGMENT

For the reasons set forth in the Memorandum of Decision and Order filed herewith,

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED that the Defendants' Motion to Dismiss [Doc. 9] is **GRANTED**, and Judgment is hereby entered in favor of the Defendants Beazer Homes Corp. and Beazer Mortgage Corporation against the Plaintiffs Mark James Tingley

and Lea Michelle Tingley, on behalf of themselves and others similarly situated. This case is hereby **DISMISSED**.

Signed: April 25, 2008

Martin Reidinger

United States District Judge